

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 90 of the Commission's Rules)	WP Docket No. 16-261
to Improve Access to Private Land Mobile Radio)	
Spectrum)	
)	
Land Mobile Communications Council)	RM-11719
Petition for Rulemaking Regarding Interim)	
Eligibility for 800 MHz Expansion Band and)	
Guard Band Frequencies)	
)	
Petition for Rulemaking Regarding Conditional)	RM-11722
Licensing Authority)	
)	

To: The Commission

EX PARTE COMMENTS

The Monitoring Association (formerly the Central Station Alarm Association) and the related Alarm Industry Communications Committee ("AICC")(collectively "TMA") has worked with the Land Mobile Communications Council (LMCC) to draft suggested revisions to Rule Sections 90.35(c) and 90.267(f) of the Commission's Rules, as well as related coordination protocols. The draft revisions and protocols are designed to implement the terms of the Consensus Plan for greater use of the central station alarm frequencies attached to the December 22, 2016 Reply Comments of LMCC and TMA. At its Annual Meeting held on April 26, 2017, LMCC voted without objection from any member to approve the draft rule changes and protocols to be submitted to the Commission as consensus proposals in connection with the

The resulting proposed rule changes on which TMA and LMCC have agreed are attached hereto, in both “clean” and “redline” versions. The coordination protocols are set forth in a separate document attached hereto. CSAA and LMCC submit this language into the record in this proceeding to assist with the Commission’s evaluation of the Consensus Plan.

Respectfully submitted,

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2

Consensus Protocol for Frequency Coordination on 90.35(c)(63) Frequencies WP Docket No. 16-261- Amendment of the Commission's Rules to Improve Access to Private Land Mobile Radio Spectrum

Pursuant to the Commission's *Notice of Proposed Rulemaking* in the above-referenced docket,¹ the Land Mobile Communications Council (LMCC), of which every Part 90 Federal Communication Commission (FCC)-certified frequency advisory committee is a member, is pleased to submit the attached "Consensus Protocol for 90.35(c)(63) Frequency Coordination" as proposed in LMCC's Reply Comments in this proceeding. The LMCC understands that this protocol will be evaluated by the WTB. It is further understood that until the protocol is approved, as announced by FCC *Public Notice*, the FCC will not accept applications by non-central station eligibles for facilities on the frequencies in question.²

Upon acceptance, the LMCC will post the protocols on its website (www.lmcc.org) to enhance industry awareness of the FCC rule changes and the spectrum opportunity for both central station and non-central station systems. We look forward to responding to any questions the Bureaus may have regarding the proposed consensus coordination protocol.

¹ In the Matter of Amendment of Part 90 of the Commission's Rules to Improve Access to Private Land Mobile Radio Spectrum, WP Docket No. 16-261, *Notice of Proposed Rulemaking*, 31 FCC Rcd 9431 (2015) ("NPRM").

² The frequencies are 460.900 MHz, 465.900 MHz, 460.925 MHz, 465.925 MHz, 460.950 MHz and 465.950 MHz.

Land Mobile Communications Council
Consensus Protocol for Frequency Coordination on 90.35(c)(63) Frequencies

General Procedures

This protocol represents a consensus among the LMCC members that coordinate Industrial/Business Pool applications, for the coordination of non-central station operations using the “urban” central station alarm frequencies (designated by reference to Rule Section 90.35(c)(63), and in certain instances [pursuant to a waiver request] the “nationwide” central station alarm frequencies (designated by reference to Rule Section 90.35(c)(66).

Urban Channels

☐ The urban central station voice channels (460.900, 465.900, 460.925, 465.925, 460.950 and 465.950 MHz) will be available for all Part 90 Industrial/Business Pool applicants proposing FB8 operations. Applicants shall seek concurrence from The Monitoring Association (“TMA”, formerly CSAA) for use of these channels for the purpose of ensuring that incumbent central station alarm operations will be protected from interference in accordance with the FCC’s rules and the coordination protocol below. Pursuant to this protection protocol, non-central station applicants will demonstrate that the proposed 21 dbuVm interference contour will not overlap the incumbent central station licensee’s area of operation, as reflected on its license. The protocol will also provide for the protection of fixed alarm radios at protected premises (which are classified as “mobiles” under Rule Section 90.267) from mobile-only licensees on the central station voice channels.

☐ Incumbent central station systems will be protected as if licensed for primary voice and/or data as station class FB8, within the licensed service area, even if operating in conventional mode.

☐ Non-central station systems will be subject to the requirements of FCC Rule Section 90.187 with regard to co-channel non-central station licenses.

Nationwide Channels

☐ The nationwide central station voice channels (460.975/ 465.975 and 461.000/465.000 MHz) remain assigned exclusively for central station use.

☐ TMA will consider concurring with waiver requests to utilize the nationwide central station voice channels, based on a showing that there are no exclusive use (FB8) frequencies available in the applicant's primary pool, and subject to the "Last Available Voice Channel" protocol below.

Alarm Data Operations Co-primary

☐ Coordination of non-central station operations on any of the central station voice channels will recognize data use by a neighboring central station as a co-primary use, and protect such operation accordingly.

Last Available Voice Channel

- In order to ensure the availability of at least one higher powered voice/data frequency pair for future central station operations, TMA will not be required to concur in, and other frequency coordinators shall not coordinate, an application for a central station urban frequency (or a central station nationwide frequency with a waiver request) if it would utilize all or part of the last available central station voice channel pair within a 75-mile radius of the center coordinates (as specified in FCC Rule Section 90.741) of any of the urbanized area(s) defined in FCC Rule Section 90.35(c)(63).

Low-power Group D Channels

☐ All of the 12.5 kHz and 6.25 kHz low-power Group D Channels would remain assigned for central station use only, as currently designated by Rule Sections 90.35(c)(63), (65), (66), (83) and (87), as applicable and Rule Section 90.267(f)(5), and central station alarm signaling on these frequencies will be co-primary to with regard to co-channel or adjacent channel base, mobile or data operations. Voice operations will not be allowed on any of the Group D Channels.

Frequency Coordination Process

☐ Step 1 – If the distance between a non-central station facility (proposed or incumbent) and a central station operation (proposed or incumbent) is 160 km (100 miles) or greater as measured from the closest point of the non-central station area of operation, as defined by either a County border or the edge of a maximum area of operation limited to a 80 km distance from center coordinates of normal day-to-day

operations, to the edge of the central station's licensed area of operation, the application may be certified.

☐ Step 2 – Should proposed and incumbent primary systems be closer than 160 km (100 miles), then an application may be certified if the 21 dbuV/m (50,10) interference contour calculated from a non-central station system's (proposed or incumbent) fixed stations do not overlap (proposed or incumbent) primary central station areas of operation. The 21 dbuV/m (50,10) interference contour shall be performed using generally accepted engineering practices and standards.

☐ Step 3 – If the frequency coordination analysis fails Step 2, applications may be certified if accompanied by a letter of consent from all licensees whose systems could not be protected pursuant to the analysis required in Step 2.

CENTRAL STATION ALARM FREQUENCIES: PROPOSED RULE CHANGES

Rule Section 90.35(c) changes:

(63) Except as described below, within the boundaries of urbanized areas of 200,000 or more population, defined in the United States Census of Population, 1960, vol. 1, table 23, page 1-50, this frequency may be used only by persons rendering a central station commercial protection service within the service area of the radio station utilizing the frequency and may be used only for communications pertaining to safety of life and property, and for maintenance or testing of the protection facilities. Central Station commercial protection service is defined as an electrical protection and supervisory service rendered to the public from and by a central station accepted and certified by one or more of the recognized rating agencies, or the Underwriters Laboratories' (UL), or Factory Mutual System. Within those boundaries, the following frequencies can be licensed to other stations in the Industrial/Business Pool, for FB8 operations that meet the requirements of Rule Section 90.187 with regard to non-central station licenses upon concurrence of The Monitoring Association ("TMA", formerly Central Station Alarm Association) for the purpose of protecting incumbent central stations from co-channel and adjacent channel interference: 460.90000 MHz, 465.90000 MHz, 460.92500 MHz, 465.92500 MHz, 460.95000 MHz and 465.95000 MHz. TMA shall utilize protection criteria developed in cooperation with the Land Mobile Communications Council that adequately protect fixed radios that have been designated as "mobiles". Other stations in the Industrial/Business Pool may be licensed on this frequency when all base, mobile relay and control stations are located at least 120 km (75 miles) from the city center or centers of the specified urbanized areas of 200,000 or more population. Central station operations licensed for primary voice and/or data on such frequencies will be protected as FB8 operations, even if operating in conventional mode. With respect to combination urbanized areas containing more than one city, 120 km (75 mile) separation shall be maintained from each city center which is included in the urbanized area. The locations of centers of cities are determined from appendix, page 226, of the U.S. Commerce publication "Air Line Distance Between Cities in the United States."

TMA will not be required to concur in, and other frequency coordinators shall not coordinate, an application for a central station urbanized area channel (or a central station nationwide channel with a waiver request) if the proposed frequency assignment would utilize the last available central station full power channel pair within a 75-mile radius of the center coordinates of the urbanized area(s) defined in this Rule Section.

(64) Persons who render a central station commercial protection service are authorized to operate fixed stations on this frequency for the transmission of tone or impulse signals on a co-primary basis to base/mobile operations. Fixed stations may be licensed as mobiles. Fixed stations used for central station alarm operations may utilize antennas mounted not more than 7 meters (20 feet) above a man-made supporting structure, including antenna structure.

- (i) The output power shall not exceed 30 watts (at the remote site).
- (ii) A1D, A2D, F1D, or F2D emission may be authorized.
- (iii) Operational fixed stations authorized under this paragraph are exempt from the requirements of §§90.137(b), 90.429(d), 90.425 and 90.433.

(83) Telemetry operations on this frequency will be authorized pursuant to §90.267(f).

(87) Operation on this frequency is subject to the low power provisions of §90.267(f). This frequency is assigned to Group D in the low power pool.

90.267 Changes:

(f) *Group D Frequencies.* The Industrial/Business Pool frequencies in Group D are available for central station alarm operations on a coordinated basis, pursuant to §§90.35(b)(2) and 90.175(b). Central station alarm signaling on these frequencies will be co-primary with regard to co-channel or adjacent channel base, mobile or data operations. Voice operations will not be allowed on Group D Channels.

(1) Base, mobile or operational fixed stations will be authorized on Group D frequencies. Fixed stations may be licensed as mobile.

(2) Group D frequencies subject to §90.35(c)(63) are limited to central station alarm use within the urban areas described in §90.35(c)(63). Outside the urban areas described in §90.35(c)(63), Group D frequencies subject to §90.35(c)(63) are available for general Industrial/Business use on a coordinated basis, pursuant to §§90.35(b)(2) and 90.175(b).

(3) Group D frequencies subject to §90.35(c)(66) are limited to central station alarm use nationwide.

(4) Operation on Group D frequencies is limited to 2 watts output power for mobile, base or operational fixed stations. Fixed stations used for central station alarm operations may utilize antennas mounted not more than 7 meters (20 feet) above a man-made supporting structure, including antenna structure.

(5) The Industrial/Business Pool Group D Low Power Frequencies are as follows:

460/465.90625	460/465.95625	461/466.00625
460/465.9125	460/465.9625	461/466.0125
460/466.91875	460/465.96875	461/466.01875
460/465.93125	460/465.98125	
460/465.9375	460/465.9875	
460/465.94375	460/465.99375	

CENTRAL STATION ALARM FREQUENCIES: PROPOSED RULE CHANGES

Rule Section 90.35(c) changes:

(63) Except as described below, wWithin the boundaries of urbanized areas of 200,000 or more population, defined in the United States Census of Population, 1960, vol. 1, table 23, page 1-50, this frequency may be used only by persons rendering a central station commercial protection service within the service area of the radio station utilizing the frequency and may be used only for communications pertaining to safety of life and property, and for maintenance or testing of the protection facilities. Central Station commercial protection service is defined as an electrical protection and supervisory service rendered to the public from and by a central station accepted and certified by one or more of the recognized rating agencies, or the Underwriters Laboratories' (UL), or Factory Mutual System. Within those boundaries, the following frequencies can be licensed to other stations in the Industrial/Business Pool, for FB8 operations that meet the requirements of Rule Section 90.187 with regard to non-central station licenses upon concurrence of The Monitoring Association ("TMA", formerly Central Station Alarm Association) for the purpose of protecting incumbent central stations from co-channel and adjacent channel interference: 460.90000 MHz, 465.90000 MHz, 460.92500 MHz, 465.92500 MHz, 460.95000 MHz and 465.95000 MHz. TMA shall utilize protection criteria developed in cooperation with the Land Mobile Communications Council that adequately protect fixed radios that have been designated as "mobiles". Other stations in the Industrial/Business Pool may be licensed on this frequency when all base, mobile relay and control stations are located at least 120 km (75 miles) from the city center or centers of the specified urbanized areas of 200,000 or more population. Central station operations licensed for primary voice and/or data on such frequencies will be protected as FB8 operations, even if operating in conventional mode. With respect to combination urbanized areas containing more than one city, 120 km (75 mile) separation shall be maintained from each city center which is included in the urbanized area. The locations of centers of cities are determined from appendix, page 226, of the U.S. Commerce publication "Air Line Distance Between Cities in the United States."

TMA will not be required to concur in, and other frequency coordinators shall not coordinate, an application for a central station urbanized area channel (or a central station nationwide channel with a waiver request) if the proposed frequency assignment would utilize the last available central station full power channel pair within a 75-mile radius of the center coordinates of the urbanized area(s) defined in this Rule Section.

(64) Persons who render a central station commercial protection service are authorized to operate fixed stations on this frequency for the transmission of tone or impulse signals on a co-primary basis to base/mobile operations. Fixed stations may be licensed as mobiles. Fixed stations used for central station alarm operations may utilize antennas mounted not more than 7 meters (20 feet) above a man-made supporting structure, including antenna structure. ~~secondary, noninterference base-to-base/mobile operations subject to the following conditions and limitations:~~

~~_____ (i) Secondary fixed operations may be used only for the following purposes:~~

~~_____ (A) Indication of equipment malfunction;~~

~~_____ (B) Actuation of a device to indicate the presence of an intruder, fire, or other hazardous condition on the property under the protection of the licensee;~~

~~(C) Indication of an abnormal condition in facilities under the protection of the licensee that, if not promptly reported, would result in danger to human life;~~

~~(D) Transmission, as may be necessary, to verify status of equipment; adjust operating conditions; or correct any abnormal condition; or~~

~~(E) Confirmation of status, or that an operation or correction has been accomplished.~~

~~(ii) The maximum duration of any one non-voice signal may not exceed 2 seconds and shall not be transmitted more than three times.~~

~~(iii) Systems employing automatic interrogation shall be limited to non-voice techniques and shall not be activated for this purpose more than 10 seconds out of any 60-second period. This 10-second frame includes both transmit and response times.~~

~~(iv) The bandwidth shall not exceed that authorized to the licensee for the primary operation on the frequency concerned.~~

~~(v) Frequency loading resulting from the use of secondary signaling will not be considered in whole or in part as a justification for authorizing additional frequencies in the licensee's mobile system.~~

~~(vi) A mobile service frequency may not be used exclusively for secondary signaling.~~

~~(vii) The output power shall not exceed 30 watts (at the remote site).~~

~~(viii) A1D, A2D, F1D, or F2D emission may be authorized.~~

~~(ix) The transmitter shall be designed to deactivate automatically after 3 minutes of continuous carrier radiation.~~

~~(xiii) Operational fixed stations authorized under this paragraph are exempt from the requirements of §§90.137(b), 90.429(d), 90.425 and 90.433.~~

~~(xi) On these frequencies, base, mobile relay or mobile stations may transmit secondary tone or impulse signals to receivers, as provided in this section.~~

(83) Telemetry operations on this frequency will be authorized pursuant to §90.267(f).

(87) Operation on this frequency is subject to the low power provisions of §90.267(f). This frequency is assigned to Group D in the low power pool.

90.267 Changes:

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(1) Base, mobile or operational fixed stations will be authorized on Group D frequencies. Fixed stations may be licensed as mobile.

(2) Group D frequencies subject to §90.35(c)(63) are limited to central station alarm use within the urban areas described in §90.35(c)(63). Outside the urban areas described in

§90.35(c)(63), Group D frequencies subject to §90.35(c)(63) are available for general Industrial/Business use on a coordinated basis, pursuant to §§90.35(b)(2) and 90.175(b).

(3) Group D frequencies subject to §90.35(c)(66) are limited to central station alarm use nationwide.

(4) Operation on Group D frequencies is limited to 2 watts output power for mobile, base or operational fixed stations. Fixed stations used for central station alarm operations may utilize antennas mounted not more than 7 meters (20 feet) above a man-made supporting structure, including antenna structure.

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